United Nations Convention on the Law of the Sea SPLOS/178

Meeting of States Parties

Distr.: Limited
16 June 2008

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Eighteenth Meeting
New York, 13-20 June 2008

Agenda

1. Opening of the eighteenth Meeting by the President of the seventeenth Meeting.
2. Minute of silent prayer or meditation.
3. Election of the President.
4. Adoption of the agenda.
5. Election of the Vice-Presidents.
6. Appointment of the Credentials Committee.
7. Organization of work.
8. Report of the International Tribunal for the Law of the Sea to the Meeting of States Parties for 2007 (SPLOS/174).
9. Information reported by the Secretary-General of the International Seabed Authority.
10. Commission on the Limits of the Continental Shelf:
    (a) Information reported by the Chairman of the Commission;
    (b) Workload of the Commission (SPLOS/INF/20).
11. Consideration of budgetary matters of the International Tribunal for the Law of the Sea:
    (a) Draft budget proposals for 2009-2010 (SPLOS/2008/WP.1);
    (b) Report on budgetary matters for the financial periods 2005-2006 and 2007-2008 (SPLOS/175);
    (c) Appointment of Auditor for financial years 2009-2012 (SPLOS/176).
12. Report of the Credentials Committee.
13. The allocation of seats on the Commission and the Tribunal.

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14. Election of seven members of the International Tribunal for the Law of the Sea.

15. The ability of States, particularly developing States, to fulfil the requirements of article 4 of Annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a).

16. Report of the Secretary-General under article 319 for the information of States parties on issues of a general nature, relevant to States parties, that have arisen with respect to the United Nations Convention on the Law of the Sea.

17. Other matters.

United Nations Convention on the Law of the Sea SPLOS/179

Meeting of States Parties

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Credentials of representatives to the eighteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea

Report of the Credentials Committee

Chairperson: Ms. Miriam **Mac Intosh** (Suriname)

1. On 13 June 2008, the eighteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea appointed, pursuant to rule 14 of the Rules of Procedure for Meetings of States Parties (SPLOS/2/Rev.4), a Credentials Committee consisting of the following nine States parties: Brazil, Greece, Indonesia, Mongolia, Morocco, New Zealand, Slovenia, South Africa and Suriname.

2. The Committee held its meeting on 13 June 2008.

3. Miriam Mac Intosh (Suriname) was elected Chairperson by acclamation.

4. The Committee had before it a memorandum by the Secretariat, dated 12 June 2008, on the status of credentials of representatives participating in the eighteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea. The Secretary of the Committee made a statement supplementing the memorandum regarding the inclusion of those credentials and communications received subsequent to the preparation of the memorandum.

5. As noted in paragraph 1 of the memorandum, as orally supplemented by the Secretary during the meeting, formal credentials issued by the Head of State or Government or by the Minister for Foreign Affairs or by a person authorized by either of them had been received by the Secretariat for the representatives of the following 97 States participating in the eighteenth Meeting of States Parties: Albania, Algeria, Angola, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Bulgaria, Canada, Chile, China, Croatia, Cyprus, Cuba, Czech Republic, Denmark, Egypt, Equatorial Guinea, Estonia, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Hungary, Iceland, India, Ireland, Italy, Japan, Jordan, Kenya, Lao People's Democratic Republic, Latvia, Lebanon, Lithuania, Lesotho, Maldives, Malta, Mauritius, Mexico, Micronesia (Federated

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States of), Moldova, Monaco, Mongolia, Montenegro, Morocco, Myanmar, Namibia, Nauru, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Republic of Korea, Russian Federation, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sudan, Suriname, Sweden, Tonga, Trinidad and Tobago, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu and Zimbabwe.

6. As noted in paragraph 2 of the memorandum, credentials issued by the President of the European Commission had also been submitted for the representatives of the European Community.

7. As noted in paragraph 3 of the memorandum, as orally supplemented during the meeting, information concerning the appointment of representatives participating in the eighteenth Meeting of States Parties had been communicated by means of facsimile or in the form of letters or notes verbales from ministries, embassies, permanent missions to the United Nations or other Government offices or authorities, or through local United Nations offices, by the following 57 States participating in the eighteenth Meeting: Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Belize, Benin, Cameroon, Cape Verde, Comoros, Cook Islands, Costa Rica, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Dominica, Fiji, Gambia, Georgia, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iraq, Jamaica, Kiribati, Kuwait, Luxembourg, Madagascar, Malaysia, Mali, Marshall Islands, Mauritania, Mozambique, Nepal, Netherlands, Niue, Pakistan, Palau, Qatar, Romania, Saint Lucia, Sao Tome and Principe, South Africa, Senegal, Serbia, Sierra Leone, Somalia, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Uganda, Ukraine, Viet Nam, Yemen and Zambia.

8. The Chairperson proposed that the Committee accept the credentials of all the representatives mentioned in the memorandum by the Secretariat, supplemented by the additional information provided by the Secretary during the meeting of the Committee, on the understanding that formal credentials of the representatives referred to in paragraph 3 of the Secretariat's memorandum, as orally supplemented, would be communicated to the Secretariat as soon as possible. The following draft resolution was proposed by the Chairperson for adoption by the Committee:

The Credentials Committee,

Having examined the credentials of the representatives to the eighteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea referred to in paragraphs 1 to 3 of the memorandum by the Secretariat dated 12 June 2008, supplemented by the additional information provided by the Secretariat during the meeting of the Credentials Committee,

Accepts the credentials of the representatives concerned.

9. The draft resolution was adopted by the Committee without a vote.

10. Subsequently, the Chairperson proposed that the Committee recommend to the eighteenth Meeting of States Parties the adoption of a draft resolution (see para. 12 below). The proposal was adopted without a vote.

11. In the light of the foregoing, the present report is submitted to the eighteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea.

Recommendation of the Credentials Committee

12. The Credentials Committee recommends to the eighteenth Meeting of States Parties the adoption of the following draft resolution:

Credentials of representatives to the eighteenth Meeting of States Parties to the United Nations Convention on the Law of the Sea

The Meeting of States Parties to the United Nations Convention on the Law of the Sea,

Approves the report of the Credentials Committee.

United Nations Convention on the Law of the Sea SPLOS/180

Meeting of States Parties

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20 June 2008

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New York, 13-20 June 2008

Decisions on budgetary matters of the International Tribunal for the Law of the Sea for 2009-2010

1. The Meeting of States Parties approves the budget of the International Tribunal for the Law of the Sea for the biennium 2009-2010, amounting to €17,515,100, as set out in annex I, together with the staffing table for the Registry of the Tribunal for 2009-2010, as contained in annexes II and III.

2. Pursuant to regulation 5.3 of the financial regulations of the Tribunal, the contributions of States parties for each of the two years of the biennium 2009-2010 (€17,515,100) shall be determined on the basis of half of the appropriations adopted by the Meeting of States Parties for that financial period (€8,757,550). On the basis of the report on budgetary matters for the financial periods 2005-2006 and 2007-2008 (SPLOS/175), the Meeting notes that the surplus cash from the financial period 2005-2006 (€1,232,340) will be surrendered and deducted from the contributions of States parties for 2009, in accordance with financial regulation 4.

3. With a view to providing the Tribunal with the financial means necessary to consider cases in 2009-2010, in particular those requiring expeditious proceedings, the Meeting of States Parties approves an amount of €2,564,700 for case-related costs of the Tribunal. This amount is included in the total appropriation indicated in paragraph 1 above. The case-related costs shall be used only in the event of cases being submitted to the Tribunal.

4. Without prejudice to the application of the provisions of article 19 of annex VI to the United Nations Convention on the Law of the Sea in respect of future budgets of the Tribunal regarding the contribution to be made by the International Seabed Authority, the budget of the Tribunal for 2009-2010 will be financed by all States and international organizations that are parties to the Convention. The European Community indicated that the amount of its agreed contribution to the budget of the Tribunal would be €80,000 for each year.

5. The Meeting also decides that a floor rate of 0.01 per cent and a ceiling rate of 22 per cent would be used in establishing the rate of assessment for States parties for the budget of the Tribunal for 2009-2010.

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Annex I

Budgets of the Tribunal from 2005-2006 to 2009-2010

(Euros)

Part/ section	Object of expenditure	Approved budget 2005-2006 (including supplement budget)[a]	Performance 2005-2006	Approved budget 2007-2008	Proposed budget 2009	Proposed budget 2010	Proposed budget 2009-2010	Biennial decrease/increase
A	**Recurrent expenditure**							
1	**Judges**	**4 099 830**	**3 900 794**	**4 385 900**	**2 209 362**	**2 224 143**	**4 433 400**	**47 500**
1.1	Annual allowances	2 525 298	2 539 873	2 720 000	1 357 830	1 357 830	2 715 700	-4 300
1.2	Special allowances	722 932	676 760	719 600	394 318	394 318	788 600	69 000
1.3	Travel to sessions	246 300	238 271	256 500	132 420	135 201	267 600	11 100
1.4	Pension scheme	485 800	355 363	587 500	293 568	293 568	587 100	-400
1.5	Insurance scheme	0	0	0	0	0	0	0
1.6	Common costs	119 500	90 527	102 300	31 220	43 220	74 400	-27 900
2	**Registry**	**6 632 700**	**6 344 400**	**6 985 800**	**3 521 520**	**3 533 139**	**7 054 600**	**68 800**
2.1	Established posts	5 661 500	4 205 062	5 668 800	2 895 200	2 895 200	5 790 400[b]	121 600
2.2	Staff assessment/credit	-1 303 500		-1 144 600	-585 200	-585 200	-1 170 400	-25 800
2.3	Reimbursement of national taxes	30 000	30 000	30 000	0	0	0	-30 000
2.4	Common staff costs	1 792 900	1 724 489	1 991 900	995 952	995 952	1 991 900	0
2.5	Overtime	39 000	36 753	39 000	19 522	19 522	39 000	0
2.6	Temporary assistance for meetings	213 400	184 875	210 500	99 827	110 697	210 500	0
2.7	General temporary assistance	133 100	117 399	121 100	60 568	60 568	121 100	0
2.8	Training	66 300	45 822	69 100	35 651	36 400	72 100	3 000
3	**Representation allowance**	**12 200**	**12 188**	**12 800**	**5 024**	**5 024**	**10 000**	**-2 800**
4	**Official travel**	**172 200**	**169 348**	**177 600**	**91 695**	**93 621**	**185 300**	**7 700**
5	**Hospitality**	**13 200**	**12 929**	**13 500**	**6 894**	**7 039**	**13 900**	**400**
6	**Operating expenditures**	**2 653 700**	**2 483 931**	**2 654 100**	**1 371 390**	**1 400 037**	**2 771 400**	**117 300**
6.1	Maintenance of premises including security	1 953 000	1 905 245	1 953 000	1 005 997	1 027 124	2 033 100	80 100
6.2	Rental and maintenance of equipment	332 600	307 601	346 400	178 826	182 581	361 400	15 000
6.3	Communications	182 700	144 827	189 000	97 597	99 647	197 200	8 200
6.4	Miscellaneous services and charges (including bank charges)	37 900	29 779	39 500	20 374	20 802	41 200	1 700

Part/ section	*Object of expenditure*	*Approved budget 2005-2006 (including supplement budget)*[a]	*Performance 2005-2006*	*Approved budget 2007-2008*	*Proposed budget 2009*	*Proposed budget 2010*	*Proposed budget 2009-2010*	*Biennial decrease/increase*
6.5	Supplies and materials	114 700	89 479	118 700	61 296	62 583	123 900	5 200
6.6	Special services (external audit)	32 800	7 000	7 500	7 300	7 300	14 600	7 100
7	**Library and related costs**	**317 000**	**301 325**	**317 000**	**161 829**	**165 228**	**327 000**	**10 000**
7.1	Procurement of books and publications	227 400	212 271	227 400	116 088	118 526	234 600	7 200
7.2	Start-up costs of library							
7.3	External printing and binding	89 600	89 054	89 600	45 741	46 702	92 400	2 800
B	**Non-recurrent expenditure**							
8	**Furniture and equipment**	**150 000**	**144 429**	**150 000**	**76 575**	**78 183**	**154 800**	**4 800**
8.1	Purchase of equipment	150 000	144 429	150 000	76 575	78 183	154 800	4 800
8.2	Purchase of special equipment							
9	**Alteration to premises**			**112 000**			**0**	**-112 000**
C	**Case-related costs**							
10	**Judges**	**1 797 869**	**19 669**	**1 851 700**	**990 472**	**993 414**	**1 983 800**	**132 100**
10.1	Special allowances	1 449 933	9 840	1 488 500	802 007	802 007	1 604 000	115 500
10.2	Compensation to judges ad hoc	88 436	0	92 100	48 368	48 368	96 700	4 600
10.3	Travel to meetings, including judges ad hoc	259 500	9 829	271 100	140 097	143 039	283 100	12 000
11	**Registry**	**538 200**	**4 616**	**554 300**	**290 431**	**290 431**	**580 900**	**26 600**
11.1	Temporary assistance for meetings	493 200	4 616	509 300	267 931	267 931	535 900	26 600
11.2	Overtime	45 000	0	45 000	22 500	22 500	45 000	0
D	**Working capital fund**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
	Total	**16 386 899**	**13 393 629**	**17 214 700**	**8 725 192**	**8 790 259**	**17 515 100**	**300 400**

US$ 1 = €0.661 (United Nations exchange rate for March 2008).

[a] Based on SPLOS/117, SPLOS/132 and SPLOS/133.

[b] Budget information system, standard salary costs, version 4, applicable to The Hague for 2009.

Annex II

Professional staff of the Registry in 2009-2010

(United States dollars)

Level	*Function*	*Number of posts*	*Standard costs*	*Net standard costs*	*Staff assessment*
ASG	Registrar	1	227 579	184 476	43 103
D-2	Deputy Registrar	1	207 570	169 422	38 148
P-5	Head of Administration and Management	1	149 881	124 168	25 713
P-5	Head of Conference and Linguistic Services	1	149 881	124 168	25 713
P-4	Librarian	1	140 344	114 725	25 619
P-4	Head of Budget and Finance	1	140 344	114 725	25 619
P-4	Translator/Reviser	1	140 344	114 725	25 619
P-4	Legal Officer	2	280 687	229 449	51 238
P-3	Legal Officer/Information	1	108 180	90 415	17 765
P-3	Information Technology Officer	1	108 180	90 415	17 765
P-3	Translator	1	108 180	90 415	17 765
P-3	Administrative Officer (Support/Building Management)	1	108 180	90 415	17 765
P-2	Contributions Officer/Budget	1	101 541	84 431	17 110
P-2	Associate Legal Officer/Research	1	101 541	84 431	17 110
P-2	Archivist	1	101 541	84 431	17 110
P-2	Press Officer	1	101 541	84 431	17 110
	Total	**17**	**2 275 514**	**1 875 242**	**400 272**
	Total per year in euros (rounded)		**1 668 000**	**1 374 600**	**293 400**
	Total for the biennium in euros (rounded)		**3 336 000**	**2 749 200**	**586 800**

Note: Figures and exchange rate are based on the standard salary costs, version 4, applicable to The Hague for 2009.

Annex III

General Service staff of the Registry in 2009-2010

(United States dollars)

Level	*Function*	*Number of posts*	*Standard costs*	*Net standard costs*	*Staff assessment*
Principal level					
	Administrative Assistant (Personnel)	1	104 413	78 069	26 344
	Administrative Assistant (Procurement)	1	104 413	78 069	26 344
	Building Coordinator	1	104 413	78 069	26 344
	Computer Systems Assistant	1	104 413	78 069	26 344
	Publications/Personal Assistant (Registrar)	1	104 413	78 069	26 344
Other level					
	Administrative Assistant	1	76 814	59 058	17 756
	Administrative Assistant (Contributions)	1	76 814	59 058	17 756
	Conference/Documentation Assistant	1	76 814	59 058	17 756
	Finance Assistant	1	76 814	59 058	17 756
	Finance Assistant (Accounts Payable)	1	76 814	59 058	17 756
	Library Assistant	1	76 814	59 058	17 756
	Linguistic Assistant/Judiciary Support	2	153 628	118 116	35 512
	Personnel Assistant	1	76 814	59 058	17 756
	Personal Assistant (Deputy Registrar)	1	76 814	59 058	17 756
	Personal Assistant (President)	1	76 814	59 058	17 756
	Receptionist	1	76 814	59 058	17 756
	Senior Security Officer/Building Superintendent	1	76 814	59 058	17 756
	Security Officer/Driver	2	153 628	118 116	35 512
	Total	**20**	**1 674 275**	**1 276 215**	**398 060**
	Total per year in euros (rounded)		**1 227 200**	**935 500**	**291 800**
	Total for the biennium in euros (rounded)		**2 454 400**	**1 871 000**	**583 600**

Note: Figures and exchange rate are based on the standard salary costs, version 4, applicable to The Hague for 2009.

United Nations Convention on the Law of the Sea SPLOS/181

Meeting of States Parties

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Eighteenth Meeting
New York, 13-20 June 2008

Decision on the vacancy in the Commission on the Limits of the Continental Shelf

The Meeting of States Parties,

Taking note of paragraph 6 of the letter dated 18 April 2008 from the Chairman of the Commission on the Limits of the Continental Shelf addressed to the President of the eighteenth Meeting of States Parties,[1] which states that, since the election of the present membership of the Commission, one member of the Commission from the Group of Eastern European States has not assumed his functions and has not made the solemn declaration as required by the rules of procedure of the Commission, and that no communication has been received from him,

Decides that, unless the elected member of the Commission assumes his functions and makes the solemn declaration at the forthcoming twenty-second session of the Commission, the seat in the Commission for the Group of Eastern European States shall be deemed vacant and that the election to fill the vacancy for the remainder of the term of office shall be held prior to the twenty-third session of the Commission in March and April 2009.

[1] SPLOS/177.

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United Nations Convention on the Law of the Sea SPLOS/182

Meeting of States Parties

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New York, 13-20 June 2008

Decision on the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea

The Meeting of States Parties,

Noting with satisfaction the steady growth in the number of States parties to the United Nations Convention on the Law of the Sea,

Recalling the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the Convention,

Recalling also the importance and past practice of reaching general agreement of all States parties on the allocation of seats,

Further recalling article 2 of annex II and articles 2 and 3 of annex VI to the Convention concerning the composition of the Commission on the Limits of the Continental Shelf and of the International Tribunal for the Law of the Sea,

Recalling its decision SPLOS/163 of 10 July 2007, adopted during the seventeenth Meeting of States Parties to the United Nations Convention on the Law of the Sea, held at New York on 14 June and from 18 to 22 June 2007,

Recognizing the need to reach an updated agreement on the allocation of seats for both the Commission and the Tribunal consistent with equitable geographic representation and equitable geographic distribution as set out in the Convention,

Having considered the two joint proposals contained in documents SPLOS/L.56 and SPLOS/L.57 in relation to the allocation of seats on the Commission and the Tribunal to reflect the increase in the number of States parties (see SPLOS/163, annexes I and II),

1. *Decides* that it will have exhausted all efforts to reach a general agreement, by the nineteenth Meeting of States Parties, on the allocation of seats for the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea;

2. *Also decides* to adopt a decision, during the commencement of the nineteenth Meeting of States Parties, on the allocation of seats to the Commission

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and the Tribunal, on the basis, inter alia, of the proposal of the Asian and African States parties contained in document SPLOS/L.56, which reads as follows:

"*The Meeting of States Parties*,

"*Recalling* the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the United Nations Convention on the Law of the Sea,

"*Recalling also* its decision SPLOS/163 of 10 July 2007, adopted during the seventeenth Meeting of States Parties to the United Nations Convention on the Law of the Sea, held at New York on 14 June and from 18 to 22 June 2007,

"*Recognizing* the past substantial growth in the number of, in particular, African and Asian States parties, the present decision is being taken in order to satisfy the need for revision of, and some certainty in, the equitable geographical representation in the composition of the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea,

"*Having considered* the two joint proposals from the African and Asian States parties in relation to the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea, to reflect the increase in the number of States parties (see SPLOS/163, annexes I and II),

"*Decides* that:

(a) The allocation of seats of the Commission on the Limits of the Continental Shelf shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Commission will be elected as follows:

(i) Five members of the Commission shall be elected from the Group of African States;

(ii) Five members of the Commission shall be elected from the Group of Asian States;

(iii) Three members of the Commission shall be elected from the Group of Eastern European States;

(iv) Four members of the Commission shall be elected from the Group of Latin American and Caribbean States;

(v) Three members of the Commission shall be elected from the Group of Western European and other States;

(vi) The additional one seat of the African and Asian Groups in the Commission shall rotate. Asia shall occupy six seats in the next elections to the Commission; Africa shall occupy six seats in the elections following those, and so on;

(b) The allocation of seats of the International Tribunal for the Law of the Sea shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Tribunal will be elected as follows:

(i) Five judges shall be elected from the Group of African States;

(ii) Five judges shall be elected from the Group of Asian States;

(iii) Three judges shall be elected from the Group of Eastern European States;

(iv) Four judges shall be elected from the Group of Latin American and Caribbean States;

(v) Three judges shall be elected from the Group of Western European and other States;

(vi) The additional one seat in the Tribunal shall rotate between the African and Asian Groups. Africa shall occupy six seats in the next elections to the Tribunal; Asia shall occupy six seats in the elections following those, and so on;

(c) The above arrangements will be applicable to future elections, while not prejudicing new arrangements necessitated by the proportional growth of any regional group."

United Nations Convention on the Law of the Sea SPLOS/182*

Meeting of States Parties

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New York, 13-20 June 2008

Decision on the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea

The Meeting of States Parties,

Noting with satisfaction the steady growth in the number of States parties to the United Nations Convention on the Law of the Sea,

Recalling the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the Convention,

Recalling also the importance and past practice of reaching general agreement of all States parties on the allocation of seats,

Recalling further article 2 of annex II and articles 2 and 3 of annex VI to the Convention concerning the composition of the Commission on the Limits of the Continental Shelf and of the International Tribunal for the Law of the Sea,

Recalling its decision SPLOS/163 of 10 July 2007, adopted during the seventeenth Meeting of States Parties to the United Nations Convention on the Law of the Sea, held at New York on 14 June and from 18 to 22 June 2007,

Recognizing the need to reach an updated agreement on the allocation of seats for both the Commission and the Tribunal consistent with equitable geographic representation and equitable geographic distribution as set out in the Convention,

Having considered the two joint proposals contained in documents SPLOS/L.56 and SPLOS/L.57 in relation to the allocation of seats on the Commission and the Tribunal to reflect the increase in the number of States parties (see SPLOS/163, annexes I and II),

1. *Decides* that it will have exhausted all efforts to reach a general agreement, by the nineteenth Meeting of States Parties, on the allocation of seats for the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea;

* Reissued for technical reasons.

08-39888* (E) 100708

2. *Also decides* to adopt a decision, during the commencement of the nineteenth Meeting of States Parties, on the allocation of seats to the Commission and the Tribunal, on the basis, inter alia, of the proposal of the Asian and African States parties contained in document SPLOS/L.56, as follows:

"*The Meeting of States Parties*,

"*Recalling* the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the United Nations Convention on the Law of the Sea,

"*Recalling also* its decision SPLOS/163 of 10 July 2007, adopted during the seventeenth Meeting of States Parties to the United Nations Convention on the Law of the Sea, held at New York on 14 June and from 18 to 22 June 2007,

"*Recognizing* the past substantial growth in the number of, in particular, African and Asian States parties, the present decision is being taken in order to satisfy the need for revision of, and some certainty in, the equitable geographical representation in the composition of the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea,

"*Having considered* the two joint proposals from the African and Asian States parties in relation to the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea, to reflect the increase in the number of States parties (see SPLOS/163, annexes I and II),

"*Decides* that:

(a) The allocation of seats of the Commission on the Limits of the Continental Shelf shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Commission will be elected as follows:

(i) Five members of the Commission shall be elected from the Group of African States;

(ii) Five members of the Commission shall be elected from the Group of Asian States;

(iii) Three members of the Commission shall be elected from the Group of Eastern European States;

(iv) Four members of the Commission shall be elected from the Group of Latin American and Caribbean States;

(v) Three members of the Commission shall be elected from the Group of Western European and other States;

(vi) The additional one seat in the Commission shall rotate between the African and Asian Groups. Asia shall occupy six seats in the next elections to the Commission; Africa shall occupy six seats in the elections following those, and so on;

(b) The allocation of seats of the International Tribunal for the Law of the Sea shall be in accordance with the relevant provisions of the Convention,

providing that no regional group will have fewer than three seats; the members of the Tribunal will be elected as follows:

(i) Five judges shall be elected from the Group of African States;

(ii) Five judges shall be elected from the Group of Asian States;

(iii) Three judges shall be elected from the Group of Eastern European States;

(iv) Four judges shall be elected from the Group of Latin American and Caribbean States;

(v) Three judges shall be elected from the Group of Western European and other States;

(vi) The additional one seat in the Tribunal shall rotate between the African and Asian Groups. Africa shall occupy six seats in the next elections to the Tribunal; Asia shall occupy six seats in the elections following those, and so on;

(c) The above arrangements will be applicable to future elections, while not prejudicing new arrangements necessitated by the proportional growth of any regional group."

United Nations Convention on the Law of the Sea SPLOS/183

Meeting of States Parties

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New York, 13-20 June 2008

Decision regarding the workload of the Commission on the Limits of the Continental Shelf and the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the United Nations Convention on the Law of the Sea, as well as the decision contained in SPLOS/72, paragraph (a)

The Meeting of States Parties,

Recalling the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the United Nations Convention on the Law of the Sea,

Recalling also that the rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or any express proclamation,

Noting the importance of the delineation of the outer limits of the continental shelf beyond 200 nautical miles and that it is in the broader interest of the international community that States with a continental shelf beyond 200 nautical miles submit information on the outer limits of the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf for examination in accordance with article 76 of the Convention,

Recalling the importance of the work of the Commission for coastal States and the international community as a whole,

Mindful of the increasing workload of the Commission owing to an increasing number of submissions and the need to ensure that the Commission can perform its functions under the Convention effectively and maintain its high level of quality and expertise,

Recalling the decision of the eleventh Meeting of States Parties regarding the date of commencement of the 10-year period for making submissions to the Commission set out in article 4 of annex II to the United Nations Convention on the Law of the Sea,[1]

[1] SPLOS/72.

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Recalling also the decision of the seventeenth Meeting of States Parties to continue to address as a matter of priority issues related to the workload of the Commission, and to take up at the eighteenth Meeting the general issue of the ability of States, particularly developing States, to fulfil the requirements of article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a),

Recognizing that some coastal States, in particular developing countries, including small island developing States, continue to face particular challenges in submitting information to the Commission in accordance with article 76 of the Convention and article 4 of annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a), due to a lack of financial and technical resources and relevant capacity and expertise, or other similar constraints,

1. *Decides* that:

(a) It is understood that the time period referred to in article 4 of annex II to the Convention and the decision contained in SPLOS/72, paragraph (a), may be satisfied by submitting to the Secretary-General preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles and a description of the status of preparation and intended date of making a submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure[2] and the Scientific and Technical Guidelines of the Commission on the Limits of the Continental Shelf;[3]

(b) Pending the receipt of the submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission, preliminary information submitted in accordance with subparagraph (a) above shall not be considered by the Commission;

(c) Preliminary information submitted by a coastal State in accordance with subparagraph (a) is without prejudice to the submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission, and the consideration of the submission by the Commission;

(d) The Secretary-General shall inform the Commission and notify member States of the receipt of preliminary information in accordance with subparagraph (a), and make such information publicly available, including on the website of the Commission;

2. *Encourages* coastal States, where appropriate, to take advantage of available data and opportunities for scientific and technical capacity-building, advice and assistance, including from relevant national, regional and other intergovernmental bodies and organizations, as well as the Commission;

3. *Requests* the Commission to compile a list of publicly available scientific and technical data relevant to the preparation of submissions to the Commission, and to publicize the list, including by posting the list on the website of the Commission;

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[2] CLCS/40/Rev.1.

[3] CLCS/11 and Corr.1 and Corr.2; CLCS/11/Add.1 and Corr.1.

4. *Welcomes* the availability on the website of the Commission of information relating to scientific and technical capacity-building, advice and assistance available to coastal States in the preparation of submissions to the Commission;

5. *Calls upon* States parties to contribute voluntarily to the Trust Funds, with a view to facilitating the participation of the members of the Commission from developing States in the meetings of the Commission, as well as to facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the United Nations Convention on the Law of the Sea;

6. *Decides* to take up the issues related to the workload of the Commission at the next Meeting of States Parties under the item "Commission on the Limits of the Continental Shelf: Workload of the Commission".